

Carl D. Crowell, OSB No. 982049
email: carl@crowell-law.com
Drew P. Taylor, OSB No. 135974
email: drew@crowell-law.com
CROWELL LAW
P.O. Box 923
Salem, OR 97308
(503) 581-1240
Of attorneys for plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

COBBLER NEVADA, LLC,

Plaintiff,

v.

**ANONYMOUS USERS OF POPCORN
TIME: DOES 1 - 11,**

Defendants.

Case No.: 3:15-cv-01550-ST

STIPULATED CONSENT JUDGMENT

Doe #05: IP: 71.59.218.131

STIPULATED CONSENT JUDGMENT

As attested to by the signatures of counsel for the parties below, this matter comes before the Court on the parties' joint stipulation.

Plaintiff Cobbler Nevada, LLC has filed a Complaint against the defendant in the Oregon District Court for copyright infringement, 17 U.S.C. §§101, et seq, for the unlicensed copying, promotion and distribution of plaintiff's motion picture titled The Cobbler, registered with the United States Copyright Office, Reg. No. PAu 3-744-688, 2014. Voltage Pictures, LLC, an aggrieved and injured party joins in this settlement for purposes of releasing liability and resolution of claims.

After initial discovery and investigation, defendant, identified as Doe No. 05, assigned IP address 71.59.218.131 (“Doe #05”) was affirmatively identified as the proper defendant in this matter.

The parties, after conferral and investigation, now appear through counsel to fully and finally resolve all claims between the parties and the matters before the Court and have moved for entry of this Stipulated Consent Judgment to effect the terms of their settlement.

Identity of the Defendant

The defendant identified herein as Doe #05 has been personally identified to plaintiff but wishes to remain anonymous and has requested leave to proceed anonymously. Plaintiff does not oppose this request. The parties are granted leave to separately file the true identity of the defendant under seal, which absent breach of the parties’ settlement agreement, or action to enforce this Stipulated Consent Judgment may remain under seal.

WHEREFORE IT IS HEREBY STIPULATED AND ORDERED for all matters relevant to this case between the parties as follows:

1. This court has jurisdiction over the parties and venue is proper.
2. Plaintiff Cobbler Nevada, LLC has valid and enforceable copyrights in the original copyrighted work, Cobbler Nevada, LLC, (“motion picture”) registered with the United States Copyright Office, Reg. No. PAu 3-744-688.
3. Doe #05 is the proper named defendant in this case liable under plaintiff’s claims.
4. Plaintiff and Doe #05 expressly consent to have a United States Magistrate Judge conduct

any and all proceedings in this case, including entry of orders, including this stipulation or any other final judgment or orders arising therefrom.

5. Doe #05 and Doe's counsel have fully reviewed the Complaint and the allegations of the Complaint and specifically admit plaintiff's investigations identifying the IP address used by Doe #05 were accurate, in particular in accurately identifying Doe #05's IP address as the IP address used to download and distribute plaintiff's motion picture and other content identified with the Complaint..
6. In addition to other terms in a separate settlement agreement, the parties further agree and require pursuant to the settlement the below Permanent Injunction be entered against Doe #05 .

PERMANENT INJUNCTION

Doe #05 is hereby PERMANENTLY ENJOINED from directly, contributorily or indirectly infringing plaintiffs' rights in their motion pictures, including without limitation by using the internet to reproduce or copy any Voltage Pictures owned or branded motion pictures, to distribute any Voltage Pictures owned or branded motion pictures, or to make Voltage Pictures owned or branded motion pictures available for distribution to the public, except pursuant to a lawful written license from Voltage Pictures; and

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Doe #05 is hereby directed to immediately delete all unlicensed content in which Voltage Pictures, LLC has any rights or interest, together with any and all BitTorrent clients on any computer(s) he or she owns or controls together with all other software used to obtain media through the Internet by BitTorrent peer-to-peer transfer or exchange.

SO ORDERED, this day: _____.

United States Magistrate Judge

So Stipulated and Respectfully Submitted:

On Behalf of Defendant Doe #05:

By: s/ Benjamin R. Justus
Benjamin R. Justus (WSBA # 38855)
Lybeck Pedreira & Justus, PLLC
Fifth Floor – Chase Bank Building
7900 SE 28th Street
Mercer Island, WA 98040
(206) 230-4255 /phone
(206) 230-7791 /fax

On Behalf of Plaintiff:

/s/ Carl D. Crowell
Carl D. Crowell, OSB # 982049
email: carl@crowell-law.com
Crowell Law
P.O. Box 923
Salem, OR 97308-0923
Phone: 503-581-1240
Of counsel for plaintiffs